



Idaho Soil & Water Conservation Commission

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IDAHO SOIL & WATER CONSERVATION COMMISSION PUBLIC COMMISSION MEETING

Date and Time:

Tuesday, November 15, 2011

From 10:30 am to 12:30 pm MDT

Location:

The Riverside Hotel, Liberty Room

2900 W Chinden Blvd, Boise Idaho

APPROVED MINUTES - AMENDED

COMMISSION MEMBERS PRESENT:

Dick Bronson

Dave Radford

Roger Stutzman

Norman Wright

Jerry Trebesch

ADVISORS PRESENT:

Randy Purser, President, IASCD

COMMISSION STAFF PRESENT:

Teri Murrison

Kristin Magruder

Erin Seaman

Chuck Pentzer

Bill Lillibridge

Carolyn Firth

Delwyne Trefz

Eileen Rowan

Loretta Strickland

Steven Smith

Allan Johnson

Brian Reed

Mason LeFevre

PARTNERS AND GUESTS PRESENT:

Harriet Hensley, Deputy Attorney General

[See attached Attendance List](#)

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3 **ITEM #1: WELCOME AND ROLL CALL**
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5 The meeting was called to order by Chairman Dick Bronson, Idaho Soil & Water Conservation
6 Commission (SWC) member at 10:36 a.m. Roll call: Dave Radford, Roger Stutzman, Norman
7 Wright, Jerry Trebesch, and Dick Bronson present. A quorum was present.
8

9 **ITEM #2: REVIEW AGENDA**
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11 Chairman Bronson reviewed the agenda and asked if there were any items to add. Chair
12 advised that the Conservation Partnership Report would be addressed during the
13 Administrator's Report.
14

15 **ITEM #3: ADMINISTRATORS REPORT**
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17 Teri Murrison, Administrator, advised what items would be discussed today including the
18 district supervisor's handbook and the intent of the listening session.
19

20 District Supervisors Handbook

21 Ms. Murrison advised that there were concerns regarding the development and finalization of
22 the handbook. Subsequently, the Commission has reviewed the scope of the agreement with
23 counsel.
24

25 Harriet Hensley, Deputy Attorney General, discussed the understanding and history of the
26 handbook and agreement. Scott Koberg, Ada Soil & Water Conservation District (SWCD) and
27 Sara Schmidt, former Administrator, began drafting the handbook and Ms. Hensley provided
28 legal review. Jeff Burwell, State Conservationist, USDA Natural Resources Conservation
29 Services, committed to provide desktop publishing services and to print the handbook for
30 distribution.
31

32 Ms. Hensley recommended not including sections in the handbook with guidelines related to
33 such topics as personnel issues and specific directives under the open meeting law. There
34 could be legal ramifications if the Commission were to provide legal advice on these matters.
35 Ms. Hensley is assigned to provide legal advice to the Commission. Individual districts may
36 contract with the Attorney General's Office for legal services and a different Deputy Attorney
37 General is assigned to work with contracting districts. Districts may also contract with private
38 counsel and Ms. Hensley also recommended that the Idaho Counties Risk Management
39 Program (ICRMP) may provide legal services and/or general guidance on legal issues as well.
40

41 Ms. Hensley further observed that during her assignment with the Commission, there has been
42 ongoing discussion about defining the roles and responsibilities between the districts, IASCD,
43 and the Commission, especially in support of the district's local control. The current handbook
44 can be modified by individual districts to address their own unique concerns and policies.

45
46 Ms. Murrison advised that the handbook, as edited, was delivered via email to IASCD just prior
47 to conference. Ms. Hensley further advised that the contract did not require that the
48 Commission publish the handbook – it was flexible in its terms and deliverables.

49
50 The Commission was asked if the project was put out for bid. Ms. Hensley advised that the
51 Commission was not required to issue a Request For Proposal for the services provided. Mr.
52 Koberg concurred that it had not gone out for bid and there had been discussion about this
53 issue. Kit Tillotson, IASCD Division V Director, stated that there was an IASCD resolution last
54 year in support of revising the handbook and this arrangement met the intent of this resolution.

55
56 There was a question about the ownership of the handbook and what that meant. Ms. Hensley
57 responded that in the past, the Commission published the handbook as a Commission
58 document for use by the districts. After working with the Commission and districts over the
59 past couple of years, her recommendation was that the handbook be a document that could be
60 modified to suit an individual district's needs and preferences.

61
62 There was discussion about the deliverables under the \$10,000 contract. Ms. Murrison
63 responded that the contract covered all of Mr. Koberg's time and expenses for researching and
64 creating the handbook. Ms. Hensley commended Mr. Koberg for the quality of the product and
65 the amount of time he spent working on it.

66
67 There was discussion about whether the Commission is sidestepping its responsibility to assist
68 districts with the roles and responsibilities. Ms. Murrison clarified that the handbook does
69 address many related issues, but does not address district administration and operations.

70
71 There was interest in the draft sections on personnel issues and district operations drafted by
72 Mr. Koberg and deleted from the final handbook. Mr. Koberg advised that a template that is
73 available to any district that would like a copy. That template can then be modified by each
74 district to fit their individual needs.

75
76 Further discussion continued about personnel matters and labor laws that apply to everyone
77 and whether the Commission could provide an outline of those specific statutes and rules to
78 the districts. Ms. Hensley responded that the state statute and rules as promulgated by the
79 Division of Human Resources governing personnel matters applies to state employees only and
80 she is not aware of any statute that would require districts to comply with those specific
81 statutes and rules. Further discussion from the audience ensued on federal employment and
82 labor laws. Mr. Koberg spoke in support of districts developing their own employment policies
83 and procedures.

84 85 Conservation Partnership Agreement

86 Ms. Murrison presented the proposed Conservation Partnership Agreement with a minor edit
87 and recommended authorizing the Chair to sign the agreement at a ceremony during the
88 banquet that evening. She stated that the IASCD board, the Idaho District Employees

Association (IDEA), and NRCS have reviewed and edited the agreement. Mr. Tillotsen clarified that it would be addressed once more at the IASCD Business Meeting during the afternoon for membership approval of the final draft.

Vice Chair Radford suggested an edit to the IASCD role to read "IASCD will be the unifying voice of member district to local, state, and federal officials..." He spoke in support of the board supervisors that work with their local counties and wanted that local component to be included in that role instead of just state or federal. There was further discussion on the intent and whether the language adequately addresses the needs of the districts. IASCD will discuss this further at the business meeting this afternoon.

Chairman Bronson thanked the districts, IASCD, IDEA, and NRCS for their commitment to include a statement that was far reaching and emphasized the local role of the districts.

Vice Chair Radford moved to authorize the Chair to sign the agreement with minor modifications, as needed. Commissioner Wright seconded. No further discussion. Motion carried.

FY 2013 Budget Request

Ms. Murrison presented a highlight of the FY13 budget request. The maintenance base for personnel, operations, and trustee and benefits will be the same as FY 2012 including an increase to benefit costs of \$32,200. The Division of Financial Management is currently recommending a 1% CEC increase of \$9,400. She noted that as an executive agency, the Commission will only present the Governor's recommended budget request to the Joint Finance and Appropriations Committee during the Legislative Session. She encouraged districts and individuals that want to encourage funding of the SWC request to contact Division of Financial Management analyst Shelby Kerns or their legislators.

ITEM #4: OTHER BUSINESS

There were no items to address as other business.

ITEM #5: LISTENING SESSION

Ms. Murrison advised the partners and districts on the intent of the listening session, which is hear from districts and individuals on any issues of concern, including the Commission's strategic plan and FY 2013 budget request.

Ms. Murrison announced the process for the listening session would be as follows: staff would present on a topic, Commissioners would have an opportunity to ask questions, then then districts and partners could ask question or make statements. Statements would be summarized and recorded on flip charts prior to moving on to next subject. She stated that comments would be incorporated into the Nov. 15th meeting minutes and presented to Commissioners for review at their next meeting.

FY 2013 Budget Request

Ms. Murrison noted that the budget request submitted for FY 2013 was conservative in response to current economic conditions. Five line item enhancement requests were made in addition to the base maintenance.

Line Item Enhancement Requests:

1. RCRDP Request. The loan program operates exclusively on interest earned on the fund. Additional spending authority was requested to support reestablishing a full time loan officer and operating costs to support the program. There has been a bottleneck of work related to applications and servicing requests.
2. NRCS CTA Grant. SWC is providing technical assistance on three CCPI grants. Spending authority is being requested for NRCS reimbursement of ½ SWC related personnel costs.
3. NRCS Office Space. NRCS has advised that due to anticipated federal budget reductions, they will need to charge the Commission actual expenses related to field office and IT support.
4. District Match Request. Additional \$174,256 was requested to bring districts to the full 2:1 match.
5. TA Cost Recovery. Requested spending authority for funds to be received to recover indirect costs for professional services provided to other state agencies.

There were clarifying questions from the Commissioners regarding the two to one match and the importance of the districts supporting that request with their legislators. There was a question about the interest on the loan program. Ms. Murrison stated that all the line item enhancements have direct and indirect benefits to districts.

Kyle Hawley, Nez Perce SWCD, asked about the protocol of contacting either the Governor's office or legislators to voice support for the Commission's budget requests. Shelby Kerns, DFM Budget Analyst, advised that districts can contact her, Bonnie Butler, or the Governor directly in support of this issue. Ms. Kern's email address is Shelby.Kerns@dfm.idaho.gov.

Aaron Andrews, Blaine SWCD, asked about the districts receiving compensation for the work they do on the loan program. Ms. Murrison advised that this is one of the program priorities and staff is actively researching the appropriate way to implement this.

Steve Miller, NACD Secretary and Camas SWCD, thanked the Commission for the transparency of the district allocation process and the feedback sought from the districts and working with DFM on the line item requests.

Vice Chair Radford spoke in support of the enhancement to the loan program to process applications faster and compensate districts for their time.

Strategic Plan (FY 2012-2015)

Chairman Bronson discussed the process for the plan as it occurred this year and the process for moving forward in receiving district input.

Ms. Murrison briefly discussed the process the Commission, the districts, IASCD, and other partners went through to finalize a collaborative strategic plan. The Commission will form a workgroup to begin the process for the next strategic plan update, due July 1, 2012. IASCD and the Commission want all districts to have an opportunity to provide feedback and input for next year's strategic plan update, considering all of the changes that have occurred over the past year.

Ms. Murrison highlighted the priorities of the current strategic plan and emphasized the Commission's commitment to locally led conservation and planning.

The three major elements include (1) District Support Services; (2) Programs, Projects, and Conservation Planning; and (3) Administration. Ms. Murrison described the elements of the Commission functions and how the current staff is allocated to each element.

There was discussion on the recent staffing changes. Mason LeFevre and Loretta Strickland filled vacant technical positions in Arco and Emmett, Erin Seaman was hired as a full-time loan assistant and Delwyne Trefz was hired as the district support services specialist. The updated organization chart was reviewed.

Commissioner Stutzman commented that the strategic plan is a fluid document that can be updated and improved at any time. Chairman Bronson noted the importance of the coordination workshop being sponsored by the Commission, stating it is the first step of the districts bringing additional partners and resources to the conservation table.

Steve Becker, IASCD Division II Director and Nez Perce SWCD, stated that he would like to see the Commission to provide a method for districts to request the time of a technical field staff. Ms. Murrison advised that the workgroup that will convene to rank and prioritize district requests for assistance will do just that and the process and timeline are being fleshed out at present.

FY 2012 District Support Services Work Plan

Teri introduced Delwyne Trefz, the new Ag Program Specialist working in the District Support Services position.

Mr. Trefz spoke on the Commission's vision for this position to support the locally led work being done by the districts. He presented an overview of the accomplishments to be performed in the near future.

Mr. Trefz spoke in support of intergovernmental coordination as a way to expand district financial, technical, and other resources. He urged districts to attend the upcoming training to understand the concept and language and how it applies to their district and unique situations.

Ms. Murrison discussed the process for partner involvement in the entire strategic planning process and the Commission's response to district input and feedback. She highlighted the changes made to the draft Strategic Plan that resulted from district and other feedback and stated intent to continue to make adjustments if necessary.

Ms. Murrison introduced Chuck Pentzer as the Technical Assistance Field Staff Supervisor and summarized his responsibilities to oversee the Commission's provision of technical assistance to districts. His work plan is still being drafted.

Kyle Wilson, Nez Perce SWCD, thanked the Commission for taking his proposal from last year into reality and the transparency in activities.

Comments, Feedback, and Ideas: the following bullets reflect comments made and questions asked:

- How is the Commission going to assist the weak districts to link them into the process and build capacity?
- Need to devise a plan to address the land that will be coming out of CRP and other federal programs with partners across the state.
- Determine district roles on flood prevention and flood control activities in Idaho.
- Assist districts to identify resources to address flood control and prevention activities in Idaho.
- Find other pools of funding other than taxpayer dollars.
- Assist Bear Lake and all districts to clarify and understand potential of CREP program.
- Assist districts to develop better annual and 5 year plans
- Assist districts to understand the entire local planning process and how to integrate other local partners and working groups. Educate districts on role in local planning processes.

Vice Chair Radford commented on the importance of communicating with the legislature as a unified voice and asked districts how the Commission can encourage more participation in the overall process. A suggestion was made to encourage the consolidation of districts.

Latah District supervisors Cody Anderson and Nez Perce Kyle Wilson spoke favorably about the Listening Session and thanked the Commission. Chairman Bronson thanked everyone for their participation and feedback and adjourned the meeting at 12:37 pm.

Respectfully submitted,

Roger Stutzman
Commissioner and Secretary,
Idaho Soil & Water Conservation Commission